

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

OCLC, INC.,

Plaintiff,

v.

Civil Action 2:24-cv-144

Judge Michael H. Watson

Magistrate Judge Elizabeth P. Deavers

ANNA'S ARCHIVE,
et al.,

Defendants.

PRELIMINARY PRETRIAL ORDER

Based upon the parties' Report pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the Court **ADOPTS** the following schedule:

INITIAL DISCLOSURES

Any initial disclosures shall be made by **MAY 3, 2024**.

VENUE AND JURISDICTION

Defendant Maria Matienzo contests that this Court has personal jurisdiction over her and has filed a Motion to Dismiss.

PARTIES AND PLEADINGS

Any motion to amend the pleadings or to join additional parties shall be filed by **MAY 31, 2024**.

DISCOVERY PROCEDURES

All discovery shall be completed by **OCTOBER 21, 2024**. For purposes of complying with this order, all parties shall schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date and shall file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. ***If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court.***

DISPOSITIVE MOTIONS

Any dispositive motion shall be filed by **JANUARY 31, 2025**.

EXPERT TESTIMONY

Primary expert reports must be produced by **NOVEMBER 15, 2024**. Rebuttal expert reports must be produced by **DECEMBER 15, 2024**. If the expert is specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(B), unless otherwise agreed to by the parties. If the expert is not specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(C), unless otherwise agreed to by the parties. Pursuant to Fed. R. Civ. P. 26(b)(4)(A), leave of court is not required to depose a testifying expert.

SETTLEMENT

Plaintiff shall make a settlement demand by **NOVEMBER 1, 2024**. Defendants shall respond by **NOVEMBER 15, 2024**. The parties agree to make a good faith effort to settle this case. The parties understand that this case will be referred to an attorney mediator, or to the Magistrate Judge, for a settlement conference in **SEPTEMBER 2024**. In order for the conference to be meaningful, the parties agree to complete all discovery that may affect their ability to evaluate this case prior to the settlement conference. The parties understand that they will be expected to comply fully with the settlement order which requires *inter alia* that settlement demands and offers be exchanged prior to the conference and that principals of the parties attend the conference.

OTHER MATTERS

None.

If the foregoing does not accurately record the matters considered and the agreements reached at the conference, counsel will please immediately make their objection in writing. If any date set in this order falls on a Saturday, Sunday or legal holiday, the date is automatically deemed to be the next regular business day.

IT IS SO ORDERED.

Date: April 24, 2024

/s/ Elizabeth A. Preston Deavers
ELIZABETH A. PRESTON DEAVERS
UNITED STATES MAGISTRATE JUDGE